

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**Nashville, Tennessee**

**September 4, 1996**

**IN RE:        PETITION OF CENTURY TELEPHONE OF    )  
              OOLTEWAH-COLLEGEDALE, INC. FOR       )  
              APPROVAL OF FRANCHISE ORDINANCE     )  
              GRANTED BY THE CITY OF                )  
              COLLEGEDALE, TENNESSEE               )**

**DOCKET NO. 96-01204**

**ORDER**

This matter is before the Tennessee Regulatory Authority (the "Authority") upon the petition of Century Telephone of Ooltewah-Collegedale, Inc. (the "Company") seeking the Authority's approval, pursuant to T.C.A. § 65-4-107, of Franchise Ordinance No. 455 (the "Ordinance") passed by the City Council of the City of Collegedale (the "City"), granting to the Company, its successors and assigns, the right, permission, authority, privilege and franchise to use the public streets of the City for the purpose of constructing, erecting, maintaining and operating lines of telephone, telegraph and other types of communication, including the necessary poles, conduits, aerial cables, buried cables, ducts, fixtures and electrical conductors upon, along, under and over the public roads, streets, alleys, lanes and highways of the City of Collegedale, Tennessee as its business may from time to time require. The Ordinance was passed on final reading on July 1, 1996, and is for a period of twenty (20) years and is attested by the City Recorder.

The Authority considered this matter at its scheduled Conference on August 28, 1996. No objections were raised, and no party has requested a hearing.

The Authority reviewed the petition, the exhibits thereto and the staff's recommendation and concludes that the approval of the Ordinance granting to the Company the right to use the public streets, alleys, etc. of the City for a period of 20 years is fair, necessary, proper and reasonable and will serve the public interest and therefore should be approved.

The Authority further concludes that the payment equal to Five (5%) percent of the annual gross revenues from local exchange telephone services collected from the customers who reside within the limits of the City as provided for in the Ordinance is fair and reasonable and the Company's plan of recovering same, as set out in the Petition and in the Ordinance, from its customers who reside within the limits of the City pursuant to T.C.A. § 65-4-105(e), is fair and reasonable.

IT IS THEREFORE ORDERED:

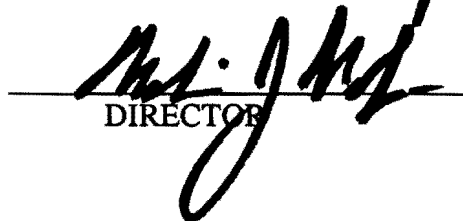
1. That Franchise Ordinance No. 455 adopted by the City of Collegedale, Tennessee granting to Century Telephone of Ooltewah-Collegedale, Inc., its successors and assigns certain rights as set out therein, and the payments provided to be made to the City and the recovery thereof by the Company, be and the same are hereby approved pursuant to T.C.A. § 65-4-107 and T.C.A. § 65-4-105(e).

2. That any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order;

3. That any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

  
CHAIRMAN

  
DIRECTOR

  
DIRECTOR

ATTEST:

  
INTERIM EXECUTIVE SECRETARY

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